

1 Alexis Mager Lakusta,
2 *in propria persona*
3 1259 El Camino Real #245
Menlo Park, CA 94025
(650) 566-9971

FILED B

JUN 04 2007

UNITED STATES BANKRUPTCY COURT
SAN FRANCISCO, CA

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5
6 UNITED STATES BANKRUPTCY COURT
7 NORTHERN DISTRICT OF CALIFORNIA

8 In re:

) Case No.: No. 02-31521
) Chapter 7

9 Alexis Mager Lakusta,

10 Debtor, Appellant

11 v.

12 Mark Evans, et al.

13 Appellees
14

) **DESIGNATION OF THE RECORD**
) **FOR APPEAL FROM ORDER**
) **DENYING DEBTOR'S MOTION**
) **FOR ABANDONMENT**

15 **ITEMS TO BE INCLUDED IN THE RECORD FOR THIS APPEAL**

- 16
17 1. Application for Order Shortening Time and Limiting Time and Limiting Notice
on Motion for Abandonment
18
19 2. Schuricht Declaration Supporting (1) Application for Order Shortening Time,
Etc., and (2) Motion for Abandonment
20
21 3. Lakusta Declaration Supporting (1) Application for Order Shortening Time,
Etc., and (2) Motion for Abandonment
22
23 4. A proposed Order Shortening Time and Limiting Notice on Motion for Abandon-
ment
24
25 5. Notice of Hearing on Lakusta's Motion for Abandonment
6. Lakusta's Motion for Abandonment
7. Lakusta's Memorandum of Points and Authorities Supporting Motion for
Abandonment

DESIGNATION OF THE RECORD FOR APPEAL FROM
ORDER DENYING DEBTOR'S MOTION FOR ABANDONMENT - 1

- 1 8. Certificate of Service of Notice of Hearing on Lakusta's Motion for Abandonment
- 2 9. Supplemental Certificate of Service Re Lakusta's Motion for Abandonment
- 3 10. Order Granting Limited Relief from Stay, signed and filed April 16, 2006
- 4 11. Substitution of Attorney, May 11, 2006
- 5 12. Ex Parte Application for Order Authorizing Withdrawal of Debtor's Counsel
- 6 13. Certificate of Service of Ex Parte Application for Order Authorizing Withdrawal
7 of Debtor's Counsel, Etc.
- 8 14. A proposed Order Authorizing Withdrawal of Debtor's Counsel
- 9 15. Faxed Letter to Jennifer Hayes, Law Clerk to the Honorable Thomas E. Carlson,
10 with cover page and copy of Complaint filed in the Superior Court of the
State of California on April 21, 2006, as requested by Judge Carlson
- 11 16. Faxed reply from the Hon. Thomas E. Carlson, May 11, 2006, including
Memorandum and Order Denying Motion for Abandonment
- 12 17. Notices of Appeal and Statements of Election to Have Appeal Heard by the
13 U. S. District Court, May 22, 2006, September 22, 2006, and December 28,
2006 (including Memorandum Re Order Directing Estate to Dismiss Action)
- 14 18. Letter of Understanding and Intent, March 15, 2002
- 15 19. Partnership Agreement, dated March 26, 2002
- 16 20. Estimated Settlement Statement, Chicago Title Company, File No. 902696,
17 Settlement Date April 22, 2002
- 18 21. Grant Deed, 548 Old La Honda Road, dated March 26, 2002, copy of certified
copy, and Grant Deed, 633 Old La Honda Road, dated April 16, 2002
- 19 22. Payment demand sheet provided by Mark Evans on approximately May 23,
20 2002, seeking "reimbursement" and payments totaling \$166,322.00
- 21 23. Voluntary Petition, Alexis Mager Lakusta, June 4, 2002
- 22 24. Adversary Proceeding, Lakusta vs. Evans, June 10, 2002
- 23 25. Application for Temporary Restraining Order as to Disposal of Property and
24 Setting Hearing on Preliminary Injunction; Memorandum of Points and Author-
ites in Support of Granting a Temporary Restraining Order (June 7, 2002)
- 25 26. Declaration of Alexis Mager Lakusta in Support of Application for Preliminary
Injunction, June 13, 2002

- 1 27. All other Temporary Restraining Documents in the record, including Lakusta's
- 2 Declaration in Support of TRO
- 3 28. Order Granting Temporary Restraining Order and Setting Hearing of Prelimin-
- 4 ary Injunction, June 13, 2002
- 5 29. Summary of Schedules, Alexis Mager Lakusta, July 8, 2002
- 6 30. Transcript of July 10, 2002 341 Meeting of Creditors
- 7 31. Email to David Duperrault from Terri Molinaro, July 16, 2002, 2:22 p.m., with
- 8 attachments California Civil Code §1895-1695.17 and §2945-2946.11
- 9 32. Email to David Duperrault from David Boone, July 17, 2002, 11:50 a.m.
- 10 33. Confidential Settlement Communications: Letter to David A. Boone from David
- 11 Duperrault, July 18, 2002
- 12 34. Initial draft of Settlement Agreement (July 18, 2002) – for this entry and next
- 13 entry please see "Defendant Mark H. Evans' List of Exhibits", filed
- 14 May 02, 2005
- 15 35. Draft Settlement Agreements (1) through (8) from July 18, 2005, per "Mark H.
- 16 Evans' List of Exhibits", exhibit E., filed May 02, 2005
- 17 36. Supplemental Agreement (all versions), dated July 16, 2002 (please check
- 18 Evans' exhibits)
- 19 37. Executed Settlement Agreement and Release, dated July 16, 2002
- 20 38. Reporter's Transcript, prepared by Linda Pugliese, CSR, for July 18, 2002
- 21 39. Promissory Note Secured by Deed of Trust, July 18, 2002
- 22 40. Deed of Trust, July 18, 2002, with Certificate of Acknowledgement of Notary
- 23 Public for David A. Boone and Request for Full Reconveyance to Chicago Title
- 24 Company
- 25 41. Notice of Debtor's Intent to Enter Into Compromise of Controversy
42. Letter to Ms. Higgins from David Duperrault, July 25, 2002
43. Email to David Boone from David Duperrault, July 30, 2002, 6:59 p.m.
44. Email to David Duperrault from David Boone, July 31, 2002, 10:29 a.m.
45. Order Approving Compromise of Controversy, August 19, 2002
46. Email to Mark Evans from David Duperrault, August 30, 2002, 11:13 a.m.

- 1 47. Email to David Boone from David Duperrault, September 11, 2002, 11:54 a.m.
- 2 48. Email to David Duperrault from David Boone, September, 14, 2002, 9:32 a.m.
- 3 49. Letter to Mark Evans from David Boone, September 27, 2002
- 4 50. Letter to Scott Goodsell from David Duperrault, October 8, 2002
- 5 51. Substitution of Counsel for Debtor, Northern District of California Bankruptcy
6 Court, No. 02-31521 TC, filed October 8, 2002
- 7 52. Bill from Law Offices of David A. Boone directed to Alexis Mager Lakusta,
8 dated October 16, 2002
- 9 53. Notice of Hearing on Final Application of the Law Offices of David A. Boone for
10 Allowance of Compensation and Reimbursement of Expenses Under Employ-
11 ment as Counsel to Debtor, November 8, 2002
- 12 54. Debtor's Objection to Final Fee Application (Law Offices of David A. Boone)
13 November 8, 2002
- 14 55. Declaration of Alexis Lakusta in Support of Debtor's Objection to Final Fee
15 Application, November 8, 2002
- 16 56. Letter to David Duperrault from Scott Goodsell, November 25 2002
- 17 57. Motion to Enforce Settlement Agreement, December 6, 2002
- 18 58. Declaration of David Duperrault in Support of Motion to Enforce Settlement
19 Agreement
- 20 59. Declaration of Mark Evans in Support of Motion to Enforce Settlement
21 Agreement
- 22 60. Opposition to Motion to Enforce Settlement Agreement and Cross-Motion to
23 Vacate Order Approving Settlement, dated November 22, 2002
- 24 61. Declaration of Scott Goodsell in Support of Opposition to Motion to Enforce
25 Settlement Agreement and Cross-Motion to Vacate Order Approving
Settlement, dated November 22, 2002
62. Declaration of Alexis Lakusta in Support of Opposition to Motion to Enforce
Settlement Agreement and Cross-Motion to Vacate Order Approving
Settlement, dated November 22, 2002
63. Transcript of Hearing, December 6, 2002
64. Creditor's Response to Order to Show Cause Why Case Should Not Be
Converted to Chapter 7, December 19, 2002 (Maureen McQuaid, Attorneys
for Thomas H. Tornga, Trustee)

- 1 65. Transcript of Hearing, December 19, 2002
- 2 66. Order Authorizing Trustee to Abandon Estate's Interest in Real Property [633
- 3 Old La Honda Road, Woodside, California], March 27, 2003
- 4 67. Ex Parte Application For Order Shortening Time to Consider Emergency Motion
- 5 Motion for Clarification of Order Restricting Transfer of Property, April 24, 2003
- 6 68. Emergency Motion for Clarification of Order Restricting Transfer of Property.
- 7 April 24, 2003, and all related documents
- 8 69. Order Granting Emergency Motion for Clarification of Order Restricting Trans-
- 9 fer of Property, April 25, 2003
- 10 70. Summary of Schedules, Old La Honda Properties, LLC, May 13, 2003
- 11 71. Stipulation and Order of Dismissal, June 18, 2003
- 12 72. Complaint for Unlawful Detainer, June 23, 2003
- 13 73. Complaint for Relief Bases on Cancellation of Contract; For Money Damages;
- 14 and for Damages for Fraud, CC 1695 et seq
- 15 74. Declaration Re: Daily Rental Value Date Unlawful Detainer Complaint was
- 16 Filed, August 5, 2003
- 17 75. Transcript of Motion for Relief from Stay, August 5, 2003
- 18 76. Transcript of Unlawful Detainer Trial, August 5, 2003
- 19 77. Unlawful Detainer Judgment, August 5, 2003
- 20 78. Writ of Possession, August 5 2003
- 21 79. Notice of Cancellation 8/14/03, Mark Evans and to Responsible Indiv Old La
- 22 Honda Properties LLC, Shirley Scaglione, Chicago Title Company (3 pages)
- 23 80. Notice of Motion and Motion to Object to Annulment and Relief from Stay,
- 24 August 15, 2003
- 25 81. Notice of Motion and Motion for Annulment and Relief from Stay, August 18,
- 2003
82. Transcript of Hearing, August 18, 2003
83. Order Authorizing Sale of Asset of Estate Free and Clear of Liens and Interests
- Under 11 U.S. C. §363 [633 Old La Honda Road, Woodside, CA], September 8,
- 2003
84. Transcript of Hearing, September 8, 2003

- 1 85. Supplemental Order Authorizing Sale of Asset of Estate Free and Clear of Liens
2 and Interests Under U.S.C. §363 [633 Old La Honda Road, Woodside, CA],
October 14, 2003
- 3 86. Transcript of Hearing, October 14, 2003
- 4 87. Status Conference Statement, January
- 5 88. Lakusta's Opposition to Confirmation of Sale, April 5, 2004, including all
6 exhibits (not provided with this filing)
- 7 89. Katzen's Declaration Opposing Sale Confirmation, April 5, 2004
- 8 90. Lakusta's Declaration Supporting Opposition to Confirmation of Sale, April 5,
2004
- 9 91. Abandonment order that confirms Notice of Trustee's Intention to Abandon
10 Estate's Interest in Real Property and Opportunity for Hearing (548 Old La
Honda Road, Woodside, California), July 27, 2004 (no copy available for this
11 filing)
- 12 92. Notice of Motion for Order Disqualifying Opposing Counsel, April 26, 2005
- 13 93. Declaration of Alexis Mager Lakusta in Support of Motion to Disqualify Stephen
D. Pahl, Esq., and the Law Firm of Pahl and Gosselin, April 26, 2005
- 14 94. Declaration of Stephen V. Wickersham in Support of a Motion to Disqualify
15 Stephen D. Pahl, Esq. and the Law Firm of Pahl and Gosselin, April 26, 2005
- 16 95. Memorandum of Points and Authorities in Support of an Order Shortening Time
on a Motion to Disqualify Stephen D. Pahl, Esq. and the Law Firm of Pahl and
17 Gosselin, April 26, 2005
- 18 96. Declaration of Alexis Mager Lakusta in Support of Motion to Disqualify Stephen
Pahl, Esq., and the Law Firm of Pahl and Gosselin in Reply to the Declaration
19 of Stephen Pahl, Esq., May 4, 2005
- 20 97. Opposition to Motion Disqualifying Pahl and Gosselin, May 9, 2005
- 21 98. Billing Statement, Pahl and Gosselin, A.P.C.
- 22 99. Transcript of Hearing on Motion to Disqualify Pahl and Gosselin, May 9, 2005
("Sealed")
- 23 100. Pahl and Gosselin Trial Brief (Phase 1), May 02, 2005
- 24 101. Transcript of Deposition of David A. Boone, May 11, 2005
- 25 102. Transcript of Trial Adversary Proceeding No.03-3549 TC, May 13, 2005 and
May 19, 2005

- 1 103. Notice of Entry of Judgment After Trial and Judgment After Trial, June 8, 2005
- 2 104. Transcript of Motion to Declare Mr. Lakusta a Vexatious Litigant and to Enjoin
- 3 Him from Further Proceedings, August 11, 2006
- 4 105. Letter to Judge Carlson dated November 20, 2006
- 5 106. Letter to Ron Oliner dated November 28, 2006, with attachments
- 6 107. Letter to Judge Carlson dated December 11, 2006, with attachments
- 7 108. Transcript of Statue Conference, December 11, 2006
- 8 109. Purchase Contract for 633 Old La Honda Road, submitted (1) by counsel for
- 9 Evans
- on August 5, 2003 (partially illegible) and (2) at deposition of Alexis Mager
- Lakusta
- 10 110. Exhibits to 60b Motion filed June 8, 2006:
- 11 Robert E. Patterson Declaration, May 20, 2006, with exhibit
- 12 escrow document for 633 Old La Honda Road Purchase Contract
- 13 escrow cancellation document 10/17/02 escrow no. 02970-000902605-001
- escrow documents for 548 Old La Honda Road Purchase Contract
- escrow cancellation document 10/17/02 escrow no. 02970-000902606-001

14 This designation is not complete. Additional items will be added in a supplemen-
15 tal designation of the record.

16 Dated: June 4, 2007 Signed: Alexis Mager Lakusta
17 Alexis Mager Lakusta,
18 *in propria persona*
19 1259 El Camino Real #245
20 Menlo Park, California 94025
21 (650) 566-9971
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